



PUBLISHED DAILY AND TRI-WEEKLY BY
EDGAR SNOWDEN.

THURSDAY EVENING, SEPTEMBER 6.

Judge Bradley, in a letter to the Newark Advertiser, doubts that after preparing a written opinion in favor of the Tilden electors in the Florida case, submitted to the Electoral Commission, he changed his views during the night preceding the vote in consequence of pressure brought to bear upon him by republican politicians and Pacific Railroad men, whose exhortations, it is said, surrounded his house during the evening. He says:—"Not a single visitor called at my house that evening; and during the whole sitting of the Commission I had no private discussion whatever of the subjects at issue with any person interested on the republican side, and but very few words with any person. The allegation that I read an opinion to Judges Clifford and Field is entirely untrue." He says he wrote and rewrote the arguments and considerations on both sides as they occurred to him, sometimes being inclined to one view of the subject and sometimes to the other. But finally he threw aside these incubations, and wrote out the short opinion which he read in the Florida case during the sitting of the Commission. As for the imputation that the case was decided in consequence of a political conspiracy, he says that it is utterly devoid of truth, at least so far as the action of the Commission itself was concerned. This denial of Judge Bradley is a sort of special pleading and does not meet the issue, which is that he gave a verbal opinion contrary to that subsequently delivered.

After presenting his credentials to President MacMahon yesterday Mr. Noyes the new U. S. Minister said:—"I have also the great pleasure to bring with me the expression of the wishes of the President of the United States for the well being of your Excellency, and the health and happiness of your family, as well as the peace and prosperity of the French people. My compatriots remember with gratitude the opportune and effective assistance rendered by France to our ancestors when fighting for national independence. I shall not be able better to interpret the desire and feeling of the President and the American people than by endeavoring, as I shall have pleasure in doing, to cultivate, strengthen and perpetuate the warmest sympathies and friendly relations between the two countries." President MacMahon in reply said:—"I thank you for the sentiments you have expressed in the name of the President of the United States. I am sensible of the recollections you call up. You may rest assured you will always find me ready to second you in maintaining and strengthening the old friendship which unites France with your country."

The London Times of yesterday urges very strongly that England should offer mediation, with the concurrence of the other neutral Powers. Offers of mediation could be based on the recommendations made by the Constantinople Conference. In this connection the London Daily News' Bucharest correspondent says "peace is impossible until the Turks are completely crushed. The war has become a dynamic one for the Romanoffs, as much as the Franco-Prussian war was for the Napoleons. If the Czar entered Moscow after concluding an unsatisfactory peace it would have to be at the point of the bayonet. This should be as well known abroad as it is in Russia."

A dispatch to the London Standard from Berlin states that according to semi-official advice Austria and Germany have declared that they do not deem the present state of affairs one to induce them to offer their mediation to either belligerent, yet they would support vigorously an offer of mediation from any other Power.

The Washington Nation has an account of an interview with Dr. Bliss concerning the condition of Senator Morton and the history of his case. Dr. Bliss says the recent attack of Senator Morton was a paralysis involving the left side, and from which, in his judgment he will not entirely recover, although there have been evidences of repair by an entire restoration so far as the malady involved the muscles of the feet, with recent evidences of returning control over the voluntary muscles of the left hand. In answer to a question Dr. Bliss remarked:—"It improves as rapidly as during the past week and his convalescence is uninterrupted, as we have reason to believe it will be, he will certainly be able to resume his duties. But I have enjoined perfect quiet and rest from official labor, and insist that he shall not hazard his complete recovery by attendance upon the extra session commencing in October."

The Baltimore Stock market was very active and excited yesterday under a strong speculative movement. Baltimore and Ohio shares closed at the first Board at 110 1/2 bid, 115 asked, but at the second Board there were sales in rapid succession at 115, 120, 125, 130 (40 shares selling at the latter price), closing at 129 1/2 bid, 131 asked—an advance upon the closing price of Tuesday of 25 per cent. It will be seen that there was a decline to day to 115.

The North and South Georgia Narrow Gauge railway was sold at Columbus on Tuesday to the Columbus and Atlantic Air-Line Railroad Company for \$40,500. The road is operated for twenty-one miles, and is well equipped. The State had indorsed its bonds for \$240,000, and it was sold because of default of interest. A company in Columbus bought it and will extend it ten miles.

We have received the September number of the Southern Planter and Farmer, published in Richmond, Va. This number contains a variety of matter of great interest, especially to agriculturists.

Judge Black, of Pennsylvania, has written a letter on Mr. Scott's proposition to increase the regular army as one means of solving the labor question. Judge Black thinks this would not be a remedy, but an aggravation of the disease, and suggests that it would be better and cheaper to charge the national treasury with fair wages to employers and let the corporations have the fruits of their labor as clear gain.

Advices from the City of Mexico state that Diaz is recognized as President throughout the country. There is much anxiety for a reorganization by the United States of the Diaz administration. The whole Mexican frontier on the California side is reported in a state of revolution. The Mexican secretary of war, who was staying in that section, escaped with others into California.

The election in California yesterday passed off quietly. About 32,000 votes were polled in San Francisco. The tickets were very much scratched, and the counting will probably occupy several days. The impression is that the democrats have carried a majority of their ticket.

The remains of M. Thiers arrived in Paris yesterday, and were attended by a vast crowd in the progress through the city. After the funeral ceremonies at the Invalides on Saturday, the body will be deposited in the family vault at Pere la Chaise.

The reunion of the Smith family at Peapack, N. J., took place yesterday. There were five thousand persons present, all presumably Smiths, and everything passed off in the most pleasant manner. The day was bright, the dinner long, and the speeches short.

The independent greenback party of Massachusetts held a State convention at Boston yesterday. An effort to nominate B. F. Butler for Governor was made, but Wendell Phillips received the nomination by a vote of 45 to 13.

David Miller, of Lee county, announces himself as an independent candidate for Governor, which announcement, we suppose, he has a perfect right to make.

The democratic State convention of Maryland will meet in Baltimore September 27, to nominate a candidate for comptroller.

The Eastern War.

The Russians have captured Loficha or Lovatza, a position of great strength and strong fortifications, from the Turks after a fight lasting twelve hours.

The London Standard's Bucharest correspondent says the battle was commenced by the Turks, who, dispirited by the great increase of the Russians before the town, attacked them fiercely. The Russians repulsed nine successive Turkish assaults, and finally drove the Turks back into the town, which they entered with them. The struggle continued in the streets until the Turks were driven out from the other side of the town in great disorder. They retreated, followed by General Skobloff's cavalry brigade. The slaughter was great, especially among the Turks.

The Daily News' correspondent telegraphs from Gagra, September 1, and shows that the Turks, as the result of their victory at Karasman, occupied a large mountain, forming the key of the Rasgrad position, and commanding almost equally the Lom and the Kara Lom, and the Russian positions at Oskia and Gagra. A subsequent telegram shows that the Russians have evacuated Gagra and retired to Polomanka. The Times' Bucharest correspondent says the Turks and Egyptians pursued them thither.

Reuter's Belgrade dispatch states that the first class of militia has been ordered to be at points of concentration by the 13th inst. All the commanders of corps leave Belgrade tomorrow. The second class of militia has been ordered to hold itself in readiness to march. Prince Milan will take chief command.

The London Times' special from Belgrade announces that several members of the diplomatic corps have made separate remonstrances to Prince Milan in reference to his war preparations. The Austrian and Russian representatives did not, however, join in these remonstrances, to which Prince Milan is stated to have answered evasively. It is reported in the highest circles that Prince Gortschakoff has urged Serbia to enter the field as soon as possible.

The Daily News' Bucharest correspondent telegraphs: It is exceedingly probable that Serbia will at once declare war and take the field. Everything is ready, and all are waiting for the instructions of the Grand Duke Nicholas as to where the Serbian forces will first strike. Understand the instructions are that the Negotio force of 20,000 men, under Gen. Harvatoich, shall immediately cross the frontier, and passing Widin on the rear of Osman Pasha, while the Alexandar corps of 20,000 men, under Reschajin, will probably stand fast with the intention to act in support.

The Times' Vienna dispatch says the Russians have abandoned the upper Lom line and have withdrawn their right wing, or that side which was at Popskoi, to a line where they can keep in contact with the forces guarding the road from Osman Bazar. Mehmet Ali has thus gained an undoubted strategic success by his victory at Karasman.

Redif Pasha and Abdul Kerim Pasha, with the ex-commandants of Scutara, Sistova and Shipka, and ten other officers, have been banished to Lemnos until the termination of hostilities, the Commissioners appointed to try them being at present engaged in other duties connected with the war. The prisoners have left for their place of exile.

LONDON, Sept. 6.—The Russian success at Lovatza gives Osman Pasha the awkward predicament of having a hostile force on both flanks. Either a defeat at Plevna or an attempted withdrawal might result in the destruction of his army unless the Russians are compelled to weaken their forces on that side in order to meet Mehmet Ali's advance from Rasgrad. The latter seems to place the Czar's army in a position very similar to Osman Pasha's. If Turkish accounts may be trusted, and they seem to be confirmed in these particulars by Russian admission, a Turkish force has crossed the Lom and reached the neighborhood of Obiteri, while another force has crossed the Kara Lom to Polomanka. These corps are understood to be operating against Biela, but they jeopardize the whole Russian campaign east of the Yantra as well as communications with Tirnova.

California Election.

SAN FRANCISCO, September 6.—Owing to the slowness with which the returns come in, especially in this city, it is impossible at present to give the result as to the legislative election. The returns thus far indicate republican gains in the interior, but they may be modified by later advices. It is believed Bryant, democrat, beats Ashbury, tax payer, for Mayor in this city.

Resumption.

PROVIDENCE, R. I., Sept. 6.—The Perry cotton mill at Newport, started up again this morning, the repairs having been completed.

M. E. Church, South, District Conference.

[Correspondence of the Alexandria Gazette.] FAIRFAX, C. H., Sept. 5, 1877.—The Conference opened at 8 o'clock last night with religious services. The interest which the occasion excited was shown by the crowded congregation which assembled. Rev. W. K. Boyle, of Alexandria, preached an able sermon from the text, "And we know that all things work together for good to them that love God, to them who are called according to his purpose." Romans viii chap. and 28th verse. After remarking that back of force there must be mind, and that God can dip his hand into the operations of Nature when and where he pleases, except that he cannot control that which he himself makes free, he said:—"The Apostle here puts the idea in a cumulative form, a favorite method with him:—(1) All things work (2) together (3) for those who love God. Absolute rest exists nowhere in the universe. It is not found in Nature, nor is it found in mind, for no man can stop thinking, and dreams would seem to indicate that the mind is constantly at work. Rest does not exist even in the bosom of God, for his eternal repose is but the pause of his infinite power. Nature is one vast workshop. In the lovely recesses of the forests the hum of insects is heard. According to recent discoveries every molecule of inorganic matter is ceaselessly vibrating, and thus from the highest archangel down to the least atom, everything is constantly at work in obedience to the will of God. Things work together. Human events work together, and it is supposed by some that laws exist which govern not only human events but the movements of nations. Yet these events must come to time, and what makes them do so but God? Ignorance and vice are also working together their legitimate results. But the whole universe is working together for good only to those who love God. Everything, even sin itself, is made subsidiary to the good of God's children. Persecutions often become blessings, and crosses crowns. Love is not a passive state of the mind. Our call is made efficient by our loving, not love made efficient by our call. The fact stated should be a matter of comfort to the Christian, for, in every event he will see God's will. But will not this develop the passive state of love only? No, for the soul that loves, loves to work. It is the God-given courage, and the cheek of the Christian should not blanch with fear, but brighten with hope. It should bring to the soul a delightful sense of rest just as the bee when belated is said to take refuge in one of those flowers which close in the night time, and rocked upon the stem, is safe from the violence of the storm."

The above is a brief sketch of a brilliant pulpit effort. Mr. Boyle has an easy and polished delivery, and speaks with remarkable rapidity. His hearers have not time to admire his diction, but they do not fail to catch the thought.

Dr. Regester, Presiding Elder, then called the Conference to order. Rev. W. J. Armstrong, of Fredericksburg, was elected secretary and W. W. Smith assistant. The roll was called, and order of services and business arranged as follows:—9 to 11 a. m., morning session; 11, preaching. 2 to 5 p. m., evening session; 7, 30, preaching.

Rev. John Landstreet, agent of Wesleyan Female Seminary, Staunton, was introduced and invited to a seat within the bar.

The Conference then adjourned. A. V.

The annual Conference of Washington District of the Baltimore Conference of the Methodist Church, South, convened in the church at this place yesterday. The first sermon was preached at 3 o'clock last night by the Rev. Mr. Boyle, of Alexandria, from the viii. chap. and 28th verse of Romans. The discourse gave great satisfaction to a large and intelligent congregation. Directly after preaching, the Conference was called to order by Dr. Regester, the Presiding Elder, when:

On motion the Rev. J. E. Armstrong, of Fredericksburg, was elected secretary and W. W. Smith, layman, of Paquiere, assistant secretary.

The following clergy and laymen are in attendance:—

Mount Vernon Station, Washington, D. C.,—Rev. J. W. Boteler and J. B. Wilson, eq. Alexandria—Rev. W. K. Boyle, and W. H. May and W. E. Pollard, eq.

Fairfax—Revs. C. A. Joyce, J. F. Baggs and Geo. H. Williams, and R. L. Nevett, eq.

Falls Church—Rev. Rumsey Smithson, and Dr. J. J. Moran.

Hamilton and Grove—Revs. S. H. Crenshaw and J. T. White, eq.

Loudoun—Rev. H. P. Hamill, eq.

Leesburg—Rev. H. L. Kennedy and Rev. Samuel Rustin, eq.

Warrenton—Rev. L. R. Green and Jan. H. Nelson and W. M. Smith, eq.

Paris—Rev. G. P. Allen.

Prince William—Rev. Robt. Smith.

Stafford—Revs. J. H. Temple and J. T. Smith, and M. K. Lowry.

Fredericksburg—Rev. J. E. Armstrong and W. F. Conway, eq.

Potomac Mission—Revs. J. S. Porter, Francis Farr and L. M. Lyle.

Farmwell—Rev. O. C. Ball.

The Revs. Joo. Landstreet, J. M. Grandin, and Henry are in attendance.

At 11 a. m. this morning the Rev. John Landstreet preached an able sermon from the xi. chap. and 24th, 25th, and 26th verses of Hebrews.

The Conference is holding a business session as this letter closes.

Important Opinion.

The following opinion of Judge Robert W. Hughes, of the U. S. Circuit Court, for the Eastern District of Virginia, upon the application of the plaintiff for a preliminary injunction and restraining order in the case of Youngling vs. Johnson, which case involves the right of the State to the use of the liquor register, was filed in the Circuit Court on September 31. The opinion very ably discusses a question of practice interesting and important to the legal profession as it distinguishes between the rules governing injunctions in patent and other cases:

"On the 28th of August, ultimo, the complainant filed a bill of injunction in this Court in term at Norfolk, and moved for a temporary injunction in accordance with the prayer of the bill, and for an immediate restraining order. He also filed sundry documents and affidavits, making out a *prima facie* case for an injunction. The object was to prevent one Fountain D. Johnson, manufacturer of a certain mechanical register called the Moffett Register, from selling and delivering these instruments; it appearing that he was about to deliver a large number of them to the Auditor of Public Accounts of Virginia, to be distributed by him to retail liquor dealers throughout the State for sale."

"The evidence filed with the bill showed that skilled officers of the Patent Bureau of the U. S. had officially decided the Moffett Register to be an infringement of a patent, the exclusive right to use which was owned by the complainant for the State of Virginia; and it was plain, if this should prove true, that the State was about to embark, in a little manner, with an improper instrument, upon a new plan of taxation devised by her legislature, to the injury of the rights of the complainant, and that this was likely to be done in a few days."

"It being apparent to the Court that in case the pretensions of the defendant were true, the injury and confusion resulting would be irreparable, and that the complainant might have no recourse except to the liberality of the Legislature of the State, an order was entered by which:

"1st. The defendant in the bill was required to show cause at Alexandria on the 4th inst., why the motion for a temporary injunction should not be granted.

"2d. Restraining the defendant and all others meantime from making, using or vending the said Moffett Register; and

"3d. Requiring the complainant to file a bond in the penalty of ten thousand dollars to answer any orders of this Court against him in this cause."

"The expediency of this order seemed obvious to the Court; but it felt at first some doubt of its power to grant the temporary restraining order, except after reasonable previous notice served. Upon a critical examination of the condition of the law on the subject, however, this doubt was removed; as will appear from the following review of the legislation of Congress; and the order was given."

"Section five of the Judiciary act of Congress of March 31, 1793, (ch. 22 of sess. of 1793, U. S. S. at Large, vol. 1, page 334-5) concludes with the words: 'Nor shall a writ of injunction be granted in any case without reasonable previous notice to the adverse party, or his attorney, of the time and place of moving the same.'"

"The greater portion of the provisions of this act of 1793 were incorporated into the Revised Statutes of June 22, 1874, ch. 12, but the foregoing clause requiring reasonable previous notice to be given in all cases of injunction was left out, and therefore stands repealed by sec. 539 of the Revised Statutes."

"Instead of this provision the seventh section of the Judiciary act of June 1st, 1872, (chap. 255, vol. 17, page 197, U. S. Statutes at Large), was inserted, which is in these words: 'Whenever notice is given of a motion for an injunction out of a circuit or district court, the court or judge thereof may, if there appears to be danger of irreparable injury from delay, grant an order restraining the act sought to be enjoined until the decision upon the motion, and such order may be granted with or without security, in the discretion of the court or judge.' This act had already been in force for two years before the enactment of the Revised Statutes, and had virtually not only repealed the clause quoted from the Judiciary act of 1793, but also rendered subordinate to its own provisions that part of Rule 5 in Equity requiring previous reasonable notice to be given of motions for injunction."

"While the clause of the act of 1793 in question was in force there were many decisions of the Supreme and Circuit Courts of the United States enforcing it, and these rulings of the courts have gone into the digests and text books in use by the bar. But when the law itself fell, of course these rulings of the courts and teachings of the text books ceased to be of authority, in contravention of the later law. But even before the passage of the Judiciary act of June 1st, 1872, an act of Congress revising, digesting and consolidating all the laws relating to patent rights was passed July 31, 1870, (see 55 U. S. Statutes at Large, vol. 16, page 206), and a section enacted in it authorizing the courts of the U. S. to deal with *injunctions in patent cases in a special manner*."

"This section placed injunctions in patent cases on a different footing from other injunctions. In this particular class of cases the courts were released from the requirement to adhere strictly to the rules of practice prescribed by law or the court in general for the Federal Courts sitting in equity; and the Circuit Courts were 'vested with power upon bill in equity, filed by any party aggrieved, to grant injunctions according to the course and principles of courts of equity, to prevent the violation of any right secured by patent, on such terms as the court may deem reasonable.' This was authority given to grant injunctions in patent cases, not upon such limited terms as were at the time required by law or rules in equity to be observed in other cases by the Circuit Courts of the United States sitting in equity, either as to notice, security, or other requirement; but authority was given to grant them in patent cases on such terms as accorded with the course and principles of courts of equity in general, and as the particular case required."

"This law made injunctions in patent cases exceptional, and conferred on U. S. Circuit Courts an unrestricted discretion to the terms of granting injunctions in them. This provision of the law of 1870 has been carried into the Revised Statutes, with slight literal modifications, and stands now the law of the land in the form of section 4,921. Thus, in patent cases, where the emergency was urgent, the court might grant injunctions without reasonable previous notice, before the law of 1872."

"The passage of the Judiciary act of June 1st, 1872, has given this power in all cases, and no injunctions may be granted in any case deemed exigent by the Court, without previous notice, whether it be a patent case or not. The terms of the law of 1872, sec. 718, are, that, 'whenever notice is given of a motion for an injunction' the court or judge, if irreparable injury or delay be likely to result from delay, may restrain temporarily until the motion can be heard. Whenever means at whatever time notice is given, and does not mean, after what time. Simultaneously, therefore, with the time of giving the rule to show cause against the motion, the court may grant an order restraining the act sought to be enjoined."

"The language of section 539 is: 'All acts of Congress passed prior to said first day of December, 1873, any portion of which is embraced in any section of said revision, are hereby repealed, and the section applicable thereto shall be in force in lieu thereof; all parts of such acts not contained in such revision, having been repealed or superseded by subsequent acts, or not being general or permanent in their nature,' &c., &c., &c."

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The Lignor Panch Case.

The U. S. Circuit Court, Judge R. W. Hughes presiding, was opened at half-past eleven o'clock this morning, the opening of the Court having been delayed on account of the non-arrival of counsel for the plaintiff, Messrs. Hill and Ellsworth, of Washington, who came down on the 11 o'clock ferry boat.

Judge Hughes inquired if counsel were ready to proceed with the hearing. Attorney General Field said he was instructed by his associates to respond to the suggestion which fell from the Court yesterday as to avoiding the necessity of a double trial. Counsel had not responded yesterday because they desired to rest upon the suggestion of the Court, for which he held the most profound respect as well for the Court as personally for his floor.

The object is to adopt some plan by which the case could be finally heard at some future time without impairing the interests of all parties concerned. This proposition is made in view of the suggestions of the Court yesterday, in which the kindly aid of counsel was invited to assist the Court in the determination of the legal rights of the case. Gen. Field then submitted the following proposition: Youngling vs. Johnson.

In response to the suggestion of the Court on yesterday, and in order to avoid a double trial, the application for the temporary injunction, and the other upon the final hearing, the defendant proposes as follows: That said temporary injunction shall be denied upon the condition that the said defendant shall execute before the Court or the clerk in his office in five days a bond with good security, in the penal sum of \$—, payable to the plaintiff, and conditioned for the payment to him of the amount of any judgment that he may obtain against the defendant in an action at law for all infringement of his patent rights and all costs or to satisfy and discharge any decree that may be rendered against him by this Court; and the defendant further agrees that there shall be an absolute order for a new trial upon the merits at the regular term of this Court in October next.

Gen. Field then spoke in advocacy of this proposition, and said one of these machines were being manufactured to be used elsewhere in the United States, and none were put upon the market or would be, and if a bond with good security be executed the plaintiff could sustain no loss by dissolving the restraining order. The bond would cover all the profits to be ascertained before a master commissioner of the Court. Yesterday the counsel was not prepared to respond, and they were in a predicament, and not standing upon the higher plane of legal rights or equal with the plaintiff. Now the defendants were prepared to say that they had obtained a patent and were equal with the plaintiff, and if there was any difference the defendants had the advantage because they had put their machine into practical use, which the plaintiffs had never done.

Judge Hughes said it was not permissible to bring in the aid of a jury upon a preliminary injunction. A jury would be proper when the final merits and questions of fact were considered.

Col. Young, for the liquor dealers, expressed his surprise at the nature of the response. Yesterday the Court had suggested that a jury might be empowered to try the legal rights of the parties. The suggestion was not met by either side. His side was willing a few days time was given to have a final hearing of the case. The paper filed by the defendant was not a response to the suggestion of the court, but was an independent motion, and it seemed to involve a practical surrender on the part of the plaintiff of the great principles of the case. Defendant's motion assumed the whole case, and was in effect a practical denial of the benefit to accrue from the injunction. The question involved was whether or not there shall be an injunction.

Judge Hughes inquired if counsel for plaintiff declined to accede to the proposition.

Col. Young—"Of course, sir. To accede would be to surrender the principle for which we are contending."

Judge Hughes said the case must go on. Gen. Field claimed that the defendants having been summoned to show cause, they were therefore entitled to hold the affirmative and to the opening and concluding arguments.

Col. Young begged leave to differ, and said that a summons to show cause did not invert the standing of the case and shift the burden of proof, or the affirmative of the issue. To change the order would be to put the cart before the horse. To do this would be to involve the proof of a negative.

Judge Hughes decided that as it was the plaintiff's motion they held the affirmative of the issue and were entitled to the opening and conclusion.

Mr. Ellsworth for liquor dealers raised a question as to the order of proof.

Judge Hughes said the burden was upon the plaintiffs.

Gen. Field said a demurrer had been interposed which could only be heard at a regular term.

Col. Young said the proceeding was anomalous as an answer had been put in and it was strange practice to demur after the answer. Whether the demurrer could be heard or not, the question as to the sufficiency of the bill could be entertained by the court upon this motion.

Judge Hughes said he would consider the sufficiency of the bill in deciding the motion.

Mr. Ellsworth read the papers filed in the case by the plaintiff, and Maj. Grimley those filed by the defendants, consisting of the original bill, answers, the assignment of Vincent Fountain to Youngling, the affidavits of experts, various patents, &c.

During the presentation of the case by the plaintiff, Mr. Ellsworth read extracts from the proceedings of the Patent Office, which showed that an interference had been declared on the 28th of August, 1876, between the claims of Fountain and Gornall, they both claiming a priority of invention of the "Fare Register," and that the Commissioner of Patents had decided the question of priority in favor of Fountain, and had issued a patent to him for the invention. Counsel for plaintiff had received a letter from the Patent Office, stating that an "interference" had been declared between the Moffett claim and the Gornall claim, which would be heard before the commissioners on the 24th of September.

Judge Crump objected to this manner of presenting the case, and asked the counsel for plaintiff if they did not know that this "interference" had been cancelled or withdrawn. This was a mutilated record, which did not show all the proceedings before the commissioner, and was an imputation upon the integrity of the Patent Office officials, which the court should not permit. If the commissioner had issued this patent for the Moffett register while an interference was pending it was a violation of the oath of office.

Judge Hughes said he did not see any difficulty in the matter; that complainants had prepared their case without the knowledge of the issuance of the Moffett patent, which was issued yesterday, and they were merely following the order of their proof previously determined upon. The Court did not understand that there was any reflection intended.

Col. Young said he knew nothing of these matters except as informed by his friends on his side. He did not know whether the interference had been cancelled or not. If such was

the fact the other side should show it, as that was incumbent on and pertained to the defense. Judge Hill, for the liquor dealers, said it was somewhat remarkable that the mere production of the letter of the commissioner should cause so much excitement on the part of counsel for the defendant. In proceeding their proof they had simply introduced a letter, and made no charges whatever against the Commissioner, for which he was not responsible.

Mr. Ellsworth said that the case for the defendants must be very tender if the production of a letter caused them to fly off half-cocked with loaded muzzles.

Judge Hughes directed the reading of the testimony to proceed, which was continued until 4 o'clock, when the court adjourned until 10 o'clock to-morrow.

The Fairfax Delegate.

FAIRFAX, C. H., September 5, 1877. To the editor of the Alexandria Gazette.

Allow me, through the columns of your valuable paper to announce to my friends and the public generally, that I am no longer a candidate for legislative honors, and hereby respectfully withdraw from the coming contest, and leave the field clear to my numerous opponents. I announced myself a candidate at the request of voters whose friendship and esteem of character I cannot doubt, and who, I believe, had I remained in the field would have supported me to the last. But "circumstances alter cases," and for this reason and others, have concluded to withdraw as above stated, thinking I can better serve my country in the humble position I now occupy, than I could possibly do in our legislative halls, if elected. To those who have so cordially assisted me in their support, I will say:—I heartily and sincerely thank them for their motives, being fully and completely understood and appreciated by me, and should I ever be in my power their grateful kindness will be duly represented.

In withdrawing, I have a sincere regret against any of my opponents, they all have friends, and I naturally having a *reluctant* feeling for their positions. For the candidate who shall receive the nomination on the 21st inst., I shall vote with pleasure.

In conclusion I will say, it behooves the conservative party of the county to insure success to put their best and most available man in the field, one to whom no voter can reasonably object, and if this be done, his election is sure, otherwise defeat is almost certain, which, as God forbid, is the prayer of your obedient servant.

E. W. RICHARDSON.

FAIRFAX C. H., Sept. 5, 1877. To the editor of the Alexandria Gazette.

With reference to Mr. G. Mason's letter and interrogatories, as published in the Gazette of the 30th ult., being on the move, and not having time to say more at this moment, I will repeat here what I publicly announced a few days past—"I am a candidate for nomination and election to a seat in the House of Delegates of Virginia from Fairfax county; I intend to support the Richmond nomination, and the farm of principles, held by the Fairfax Herald, the patriot and statesman, who is a peer at such epochs."

In 1875 I published a leaflet, which circulated in Fairfax at that time, in which the following language occurs, and which I still hold: